

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

&

THE HONOURABLE MRS. JUSTICE C.S. SUDHA

FRIDAY, THE 7TH DAY OF JULY 2023 / 16TH ASHADHA, 1945

CRL.A NO. 1341 OF 2022

AGAINST THE ORDER IN SC 3/2019 OF SPECIAL COURT FOR TRIAL
OF NIA CASES, ERNAKULAM

APPELLANT/PETITIONER/1ST ACCUSED (IN JUDICIAL CUSTODY):

MOHAMMED AZARUDEEN

AGED 35 YEARS

S/O. HAMSA M, R/O NO.49, 3RD STREET, ANBU NAGAR,
UKKADAM, COIMBATORE, TAMIL NADU, PIN - 641001

BY ADVS.

K.S.MADHUSOODANAN

THUSHAR NIRMAL SARATHY

M.M.VINOD KUMAR

P.K.RAKESH KUMAR

K.S.MIZVER

M.J.KIRANKUMAR

RESPONDENT/RESPONDENT/COMPLAINANT:

UNION OF INDIA, REPRESENTED BY NATIONAL
INVESTIGATION AGENCY (N.I.A), GIRINAGAR HOUSING
COLONY, GIRINAGAR HOUSING SOCIETY, KADAVANTHRA,
ERNAKULAM, PIN - 682020

BY ADV.S.MANU, DSGI

THIS CRIMINAL APPEAL HAVING COME UP FOR ADMISSION ON
07.07.2023, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

P.B.SURESH KUMAR & C.S.SUDHA, JJ.

Crl. Appeal No.1341 of 2022

Dated this the 7th day of July, 2023.

J U D G M E N T

P.B.Suresh Kumar, J.

This criminal appeal is instituted by the first accused in S.C.No.3/2019/NIA on the files of the Special Court for Trial of NIA Cases, Ernakulam. In terms of the impugned order, the application preferred by the appellant seeking discharge has been dismissed.

2. When this matter came up for hearing on 30.06.2023, the learned counsel for the petitioner submitted that if the trial in the case could be expedited, a decision on the merits of the appeal can be avoided. In the light of the said submission, we sought for the views of the Presiding Officer,

and the Presiding Officer has informed that the trial of the case could be expedited and completed within nine months.

3. Inasmuch as it was informed that the trial of the case could be expedited and completed within nine months, the learned counsel for the appellant prayed for disposal of the appeal with a direction to the trial court to expedite and complete the trial of the case within the aforesaid time.

The Criminal Appeal, in the circumstances, is disposed of directing the trial court to expedite and complete the trial of the case from which this appeal arises, within nine months from the date of receipt of a copy of this judgment.

Sd/-

P.B.SURESH KUMAR, JUDGE.

Sd/-

C.S.SUDHA, JUDGE.

Mn

APPENDIX OF CRL.A 1341/2022

PETITIONER ANNEXURES

Annexure I	PHOTOCOPY OF FIR IN RC 02/2019/NIA/KOC DATED 30-5-2019 WITH CENTRAL GOVERNMENT ORDER DATED 28-5-2019
Annexure II	PHOTOCOPY OF CHARGE SHEET IN SC 3/2019/NIADATED 7-12-2019
Annexure III	THE TRUE ACCUED COPY OF COMMON ORDER IN CMP 257/2021 IN SC 03/2019/NIA DATED 15.11.22